IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

Bail Appl..No. 6971 of 2006(M)

CMP.6962/2006 of J.M.F.C.,TIRUR
CRIME NO.306/06 OF KALPAKANCHERRY POLICE STATION

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: PETITIONERS/ACCUSED:

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1. M.K. ARIF, AGED 34, S/O.MOHAMMED,
   MUNDOLIKALATH HOUSE, KAKKAD AMSOM,
   KARISSERI P.O., KOZHIKODE DISTRICT.

2. M.T. SUBAIR, S/O.UNNIMAYIN,
   MUKKANTHODE HOUSE, KAKKAD AMSOM,
   NELLIKKAPARAMBU P.O., KOZHIKODE DISTRICT.

3. ABDUL BASHEER, S/O. MOHAMMED
   CHALIL HOUSE, MUKKOM P.O.,
   KOZHIKODE DISTRICT.

BY ADV. SRI.MOHAMMED SHAH

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
   KALPAKANCHERI POLICE STATION,
   MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 6971 OF 2006

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DATED THIS THE 27th DAY OF NOVEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioners who are accused Nos.6, 7 and 9 in Crime No.306/06 of Kalpakancherry Police Station for offences punishable under Sections 366 and 376(g) I.P.C., seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners and the other circumstances of the case etc., I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.,Tirur and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

3. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn